

CHAPTER 9 CENTRALIZED PURCHASING

Prior to 1/18/84, Ch 1
[Prior to 11/15/89, General Services[450] Ch 6]

401—9.1(18) Methods of procurement used by central purchasing section. The department of general services, purchasing section, shall purchase all commodities by obtaining competitive bids whenever possible. An item may be exempt from purchase by the competitive bidding procedure when the director of the department determines the best interests of the state will be served due to an immediate or emergency need for the item. Bids are to be obtained by use of one of the following methods.

9.1(1) Formal bids. Formal bids as outlined herein shall be required on all nonexpendable items costing in aggregate more than \$5,000. The purchasing section shall prepare a written “Invitation for Bid” form and mail same, with a special return bid envelope or an identifying sticker for the outside of the return envelope to the approved vendors for the particular class of commodity. The “Invitation for Bid” shall contain the following information:

1. Due date and time of formal public bid opening.
2. Complete description of commodity needed.
3. Buyer’s name or code.

Bids shall be opened publicly and read aloud on the date and the hour designated on the “Bid” form. Bids as received are to be tabulated and the tabulation made available to all interested parties. An award shall be made within 30 calendar days of the formal bid opening to the lowest compliant bidder. If an award is not made within 30 calendar days the bids shall be deemed rejected and prices as quoted by a vendor shall not be deemed as binding, unless the evaluation period is extended by agreement between the section and the bidders.

Advertised formal bids as outlined herein will be required on all nonexpendable items costing in aggregate of \$15,000 or more. The purchasing section shall prepare a written “Invitation for Bid” form and handle as noted herein. In addition to the use of a direct mail request, the department shall cause to be printed in at least one daily paper in the state of Iowa a classified advertisement with the heading “Notice to Bidders”. Said advertisement shall contain the following information:

1. Due date and time of formal bid opening.
2. General description of commodity to be purchased.
3. Address, name and telephone number of person to be contacted to obtain official bid forms.

9.1(2) Requests for proposals. Whenever a requirement exists for goods or services anticipated to cost more than \$15,000 and cost may not be the sole criterion for selection, the purchasing section may issue a Request for Proposals (RFP). The purpose of an RFP is to provide the vendor with sufficient information about a requirement for technical equipment or professional services so that the vendor may propose a solution to the requirement. As a minimum, elements of an RFP should be the following:

1. Need for a proposal conference.
2. Purpose, intent and background of the requirement.
3. Key dates in the proposal—award process.
4. Administrative requirements for submitting a proposal and format for the proposal.
5. Contractual terms and conditions.
6. Scope of work and performance requirements that the vendor must meet.
7. Evaluation criteria and methods of evaluation of the proposal.

An RFP shall be handled in the same way as an advertised formal bid.

9.1(3) Informal bids. On any item or group of items costing less than \$5,000, the purchasing section shall obtain bids in one of the following ways: Prepare a written “Invitation for Bid” form and mail same to approved vendors for that particular class of commodity. The “Invitation for Bid” shall contain the following information:

1. Due date "bid" must be returned.
2. Complete description of commodity needed.
3. Buyer's name or code.

Bids are to be opened informally on the due date or within 24 hours of same, and an award made to the lowest compliant bidder meeting specifications. Bids as received are to be tabulated and the tabulation made available to all interested parties.

The purchasing section or delegated agency may obtain telephonic bids on any expendable item or group of items costing less than \$2,500. Said bids must be documented on a special "Telephone Bid" form.

9.1(4) Rescinded, effective April 1, 1984.

9.1(5) *Contract purchases.* The purchasing section may, upon authorization of the director, enter into special contract purchase agreements for such items, groups of items or services that in the opinion of the director and the purchasing section, the best interest of the state will be served. Said contracts shall be obtained by use of one of the "Competitive Bidding" processes as outlined and awards made to the lowest compliant bidder. If agreed to by the vendor, copies of contracts will be furnished to political subdivisions of the state to allow political subdivisions to order under the terms and conditions of the state contract.

9.1(6) *Blanket purchase agreements.* When a using agency foresees a requirement for frequent purchases of off-the-shelf items, the purchasing section will competitively establish blanket purchase agreements (BPA) with conveniently located suppliers. A blanket purchase agreement is a formally approved charge account that is designed to reduce paperwork and the number of checks issued. The following provisions shall be included in blanket purchase agreements:

a. Description of agreement. A statement that the supplier agrees to furnish supplies or services as described in the agreement when requested by the responsible individual during a stipulated period and within specified dollar limits.

b. Extent of obligation. A statement that the state of Iowa is obligated only for authorized calls (orders) actually placed against the BPA.

c. Pricing. A statement of the pricing agreement established by the vendor and the contracting officer.

d. Call limitation. A statement of the limitation on individual and monthly calls (orders) against the BPA. Generally, no individual call shall be greater than \$2,000 and monthly charges shall not exceed \$10,000. Exact limits shall be established by the purchasing section and using agency for each BPA.

e. Notice of individuals authorized to place calls and dollar limitations. A provision shall be entered stating that the supplier will be furnished a list of authorized individuals who may place calls and the ordering limitations on each.

f. Delivery tickets. A provision shall be entered that requires all deliveries to be supported by a delivery ticket containing the following information.

- (1) Identification of supplier.
- (2) BPA number.
- (3) Date of call.
- (4) Call number.
- (5) Itemized list of supplies or services furnished.
- (6) Quantity, unit price and extension of each item less applicable discounts.
- (7) Date of delivery or shipment.

g. *Invoices.* A summary invoice supported by receipted copies of delivery tickets shall be submitted at least monthly for all deliveries made during the billing period identifying each delivery and stating its total amount.

h. *Payment.* Using agencies shall process invoices using the purchasing section "Purchase Order-Claim" form citing the BPA number and referencing the attached delivery tickets.

This rule is intended to implement Iowa Code section 18.6, subsections 1, 3, and 7.

401—9.2(18) Approved vendors.

9.2(1) *Vendor eligibility.* Any firm or individual legally conducting business within the state of Iowa may request to be placed on the approved vendor listing. Such firm or individual must complete properly the vendor application form prescribed by the purchasing section and place it on file with the section. The purchasing section shall select vendors from the approved listing or any other accepted source and mail copies of solicitation documents.

9.2(2) *Vendor suspension or removal.* A bidder may be suspended or removed from the approved vendors' listing for any of the following reasons.

- a. Failure to respond to three consecutive bid requests.
- b. Failure to deliver within specified delivery dates without permission of the purchasing section and the using agency.
- c. Failure to deliver in accordance with specifications.
- d. Attempts to influence the decision of any state employee involved in the procurement process.
- e. Evidence of agreements by vendors to restrain trade, or impede competitive bidding. Such activities shall be reported to the attorney general for appropriate action as well.
- f. Determination by the civil rights commission that a vendor conducts discriminatory employment practices in violation of civil rights legislation and executive order.
- g. Evidence that the vendor has willfully filed a false certificate with the section.

The section shall notify in writing any vendor considered for suspension or removal and provide an opportunity to cure the alleged situation. If the vendor fails to remedy the situation after proper notice, the section may suspend the vendor from the approved vendors' listing for up to one year or permanently remove the firm depending on the severity of the violation. The appeal provisions of 401—9.5(18) shall apply to the decision of the section.

401—9.3(18) Instructions to vendors. In processing bidding documents the vendor must prepare the documents in the manner as prescribed and furnish all information and samples as may be requested on the bidding document. The following procedures must be adhered to by all vendors in submitting bids to the department purchasing section.

9.3(1) *Bid preparation.* Bids shall be prepared either in ink or typewritten on the forms provided. Telegraphic, facsimile, or telephonic bids will not be considered as "Formal Bids."

9.3(2) *Information to be provided by vendor.* In space provided, vendors shall denote brand name, manufacturer's name, model number and any other applicable information to assist in identifying the item the vendor proposes to supply.

9.3(3) *New merchandise.* Unless otherwise specified in the specifications as submitted, all items on which a vendor submits a quotation shall be new, of the latest model, crop year or manufacture and shall be at least equal in quality to that specified in specifications as submitted.

9.3(4) *Item and total prices.* A price for each separate item listed on the bidding document must be listed in the space provided. Only one unit price shall be quoted on each item and must be extended to show the total price for the quantity of the item requested. Total price for all items listed must be shown. Should a vendor desire to submit alternate prices this can be accomplished by attaching an addendum to the bidding document. In case of error the unit price shall prevail. Preference shall be given to F.O.B. destination terms unless the purchasing section determines it is more economical to accept other terms. Prices for one-time purchases must be firm, and preference will be given to firm prices in multiple award contracts. If the purchasing section determines it is in the interests of the state of Iowa, an economic price adjustment clause based on an acceptable economic indicator may be included in multiple delivery contracts.

9.3(5) *All or none bids.* The bidding document may specify whether or not bids will be accepted on an "all or none basis." Unless this statement appears on the bidding document the vendor may not so specify; and the purchasing section may award either by item or by lot, whichever is to the advantage of the state of Iowa. Care will be taken by the purchasing section to ensure vendors that they will not be penalized by split awards.

9.3(6) *Discounts.* The bid form provides space for the statement of cash discount. The only discount provision that will be considered in determining awards will be for cash discount of 30 days or longer. Bids which specify discounts of "E.O.M." or of less than 30 days will be considered as net per item bids. The state will attempt to earn any discounts offered and will compute the period from the latest of the following:

- a. From date of invoice.
- b. Date of receipt of completed order.
- c. Date certified vendor's claim voucher is received.

When additional testing of a product is required after delivery, the discount period shall not begin until test is completed and final approval made.

9.3(7) *Time of acceptance.* The vendor may state the time of acceptance in the space provided on the signed bid document, but this period shall not be less than 10 days for informal quotations nor 30 days for formal bids. If no minimum is stated by the vendor, the offer shall be nonrevocable for 90 days. The purchasing section may require a longer evaluation period for technical equipment.

9.3(8) *Escalator clauses.* Unless specifically provided for on the bidding document, a bid containing an "escalator clause" providing for an increase in price will not be considered.

9.3(9) *Federal and state taxes.* The state of Iowa is exempt from the payment of Iowa sales tax, motor vehicle* fuel tax and any other Iowa tax that may be applied to a specified commodity or service. Revenue department exemption letters will be furnished a vendor on request.

9.3(10) *Delivery date.* In the space provided on the bidding document a bidder shall show the earliest date on which delivery can be made. The purchasing section may indicate on the bid form the acceptable delivery date for a commodity. The purchasing section may consider delivery dates as a factor in determining the successful vendor.

9.3(11) *Time of submission.* All formal and informal bids shall be submitted in sufficient time, by the vendor, to reach the purchasing section prior to the date and time set for the opening of bids. Bids received after the date and time set for opening will be returned to the vendor unopened. Formal bids will be stamped with the date and time received by the section. All vendors to whom invitations were sent shall be notified of any changes in the time of submission. If an invitation is canceled prior to bid opening, any responses already received shall be returned unopened.

9.3(12) *Modifications or withdrawal of bids.* Bids may be modified or withdrawn prior to the time and date set for the opening of bids. Said modifications or withdrawal must be in writing and delivered in a sealed envelope, properly identifying the correct bid proposal to be modified. With the approval of the director, a bid may be withdrawn after opening only if the bidder provides prompt notification and adequately documents the commission of an honest error that might cause undue financial loss.

*See Iowa Code chapter 324.

9.3(13) *Testing.* Various items may require testing either before or after final award is made. In these cases vendor must guarantee price until testing has been completed.

9.3(14) *Security.* The purchasing section may require bid or performance security on sealed or advertised solicitations when deemed necessary to protect the interests of the state. When required, security must be by certified check, certificate of deposit or letter of credit made payable to the department of general services, or on a form issued by a surety company authorized to do business in the state of Iowa. When required, security shall not be waived. Security provided by vendors shall be retained in a locked container until all provisions of the solicitation have been complied with and then returned to the vendor. Annual bid and performance securities may be posted in the amount of \$10,000 when a vendor anticipates submitting frequent formal quotations. If a particular solicitation requires security greater than the annual limit on file, the response must contain security representing the difference between the annual requirement and the specific requirement.

9.3(15) *Vendor responsibility for removal of trades.* Whenever the purchase of an item of equipment has been made with the trade-in of equipment, it shall be the vendor's responsibility to remove the traded equipment from the agencies' storage facilities within 30 days of the final acceptance of the equipment by the agency. The state will not assume responsibility for equipment that is not removed within this time period. The state may cause same to be removed and shipped to vendor, billing vendor for all packing, crating and transportation charges.

9.3(16) *Assignment of contract or purchase order.* A vendor may not assign any contract to another party without written permission from the purchasing section.

9.3(17) *Strikes, lockouts or acts of God.* Whenever a vendor's place of business, mode of delivery or source of supply has been disrupted by one of these acts, it shall be the responsibility of the vendor to promptly advise the department's purchasing section. The state of Iowa may elect to cancel all orders on file with the vendor and place the order with another vendor.

9.3(18) *Subcontractor or secondary supplier.* Successful vendors shall be responsible for all acts and performance of any subcontractor or secondary supplier that the successful vendor may engage for the completion of any contract with the state of Iowa. Successful vendor shall be responsible for payment to all subcontractors or secondary suppliers.

9.3(19) *Remedies for failure to deliver or delivery of nonconforming goods or services.* In any case where the vendor has failed to deliver or has delivered nonconforming goods or services, the purchasing section shall provide a cure notice. If after notice the vendor continues to be in default, the section may procure goods or services in substitution from another source and charge the difference between the contracted price and the market price to the defaulting vendor. The attorney general shall be requested to make collection from the defaulting vendor.

9.3(20) *Notice of intent to award.* Rescinded IAB 11/9/94, effective 12/14/94.

This rule is intended to implement Iowa Code section 18.6(5).

401—9.4(18) *Opening and processing of the bidding document.* The opening of bids submitted by vendors will be handled in one of the following manners.

9.4(1) *Formal quotation bid openings.* All bids received prior to the time and date set forth on the bidding document will be opened publicly at the time and the place designated and read aloud. All interested persons are invited to attend any bid opening. All original bids will be retained in the office of purchasing and shall be available for public inspection. Bids will be tabulated as required, and tabulation forms filed with bidding documents.

9.4(2) *Informal quotation bid openings.* All bids received prior to the time and date set forth on the bidding document may be opened publicly at the time and place designated. Bids will be tabulated and placed on file for public inspection within 24 hours of the time specified on the bidding document.

9.4(3) *Rejection of bids.* The right is reserved to reject any or all bids. Bids may be rejected because of faulty specifications, abandonment of the project, insufficient funds, evidence of unfair bidding procedures, failure to provide security when required, financial insolvency of the vendor, or by the director of general services if in the director's opinion the best interests of the state of Iowa will be served. New bids may be requested at a time deemed convenient to the purchasing section and the agency involved.

9.4(4) *Minor deficiencies and informalities.* The state reserves the right to waive minor deficiencies and informalities if in the judgment of the purchasing section the best interest of the state of Iowa will be served.

9.4(5) *Tie bids.* The purchasing section will resolve bids which are equal in all respects and tied in price by drawing lots. Whenever practical the drawing will be held in the presence of the vendors who are tied in price. If this is not possible the drawing will be made in front of at least three persons and said drawing documented.

Whenever a tie involves an Iowa firm and a firm outside the state of Iowa, the Iowa firm will receive preference.

Whenever a tie involves one or more Iowa firms and one or more firms outside the state of Iowa the drawing will be held among the Iowa firms only.

Tie bids involving Iowa produced or manufactured products and items produced or manufactured outside the state of Iowa will be resolved in favor of the Iowa product.

This rule is intended to implement Iowa Code section 18.6(4).

401—9.5(18) Vendor appeal. Rescinded IAB 2/26/97, effective 4/2/97.

401—9.6(18) Delivery and acceptance of commodities. When an award has been made to a vendor and the official purchase order issued and received by the vendor, deliveries are to be made in the following manner.

9.6(1) *Deliveries.* All deliveries are to be made only to the point specified on the official purchase order. If delivery is made to any other point it shall be the responsibility of the vendor to promptly reship to the correct location.

9.6(2) *Delivery charges.* All delivery charges should be to the account of the vendor whenever possible. If not, all delivery charges should be prepaid by vendor and added to the invoice.

9.6(3) *Notice of rejection.* The nature of any rejection of a shipment, based on apparent deficiencies disclosed by ordinary methods of inspection, will be given by the receiving agency, to the vendor and carrier within a reasonable time after delivery of the item, with a copy of this notice to the purchasing section. Notice of latent deficiencies which would make items unsatisfactory for the purpose intended may be given by the state of Iowa at any time after acceptance.

9.6(4) *Disposition of rejected item.* The vendor must remove at the vendor's expense any item rejected by the state of Iowa. If the vendor fails to remove the rejected item the state of Iowa may dispose of the item offering same for sale, deduct any accrued expense and remit the balance to the vendor.

9.6(5) *Testing after delivery.* Laboratory analysis of an item or other means of testing may be required after delivery. In such cases, vendors will be notified in writing that a special test is being made and that payment will be withheld until completion of the testing process.

9.6(6) *Risk of loss or damage.* Risk of loss or damage remains with the seller until delivery and acceptance by the agency at the destination shown on the purchase order.

401—9.7(18) How to initiate payment. It is the intent of the department's purchasing section to process vendor's claims against the state of Iowa as rapidly as possible. However, there are certain procedures that a vendor must follow in order to properly initiate the payment of a claim. If a vendor will follow the outline as listed below, payment can be expected within a reasonable time period.

9.7(1) Vendor purchase order. Vendor will receive a copy of purchase order that will serve as authorization to supply items as listed on the purchase order to the agency named and delivery to the designated geographic location.

9.7(2) Original invoice required. After the merchandise has been shipped to the agency, the vendor shall prepare an invoice in duplicate, one copy of which must be clearly marked "original copy" or "customer copy," and said invoices forwarded to the named agency. Vendor's invoice, as submitted, must refer to the order number appearing in the upper right-hand corner of the purchase order.

In case where a vendor is not able to render an original of an invoice as outlined above it will be necessary to proceed as follows: Prepare an invoice in duplicate and clearly state on one copy of same the following: "We certify that the items for which payment has been claimed were furnished for the state of Iowa business and that these charges are reasonable, proper and correct and none of it has been paid"

(Authorized Signature).

9.7(3) Warrant issuance. After the vendor's invoices have been received by the agency and the agency certified that the merchandise has been received as ordered, vendor's claim will be submitted to the department of revenue and finance and a warrant issued to vendor's account.

9.7(4) Warrant identification. The state warrant will be mailed along with a copy of the original purchase order to assist vendor in identifying the payment. The remittance copy of the voucher is for vendor's file.

9.7(5) Correspondence. All correspondence regarding payment should be addressed to the agency named with a copy to the purchasing section.

Invoices bearing cash discounts will receive priority in processing.

9.7(6) Payment after delivery. Payment for merchandise or services can only be made after said merchandise has been delivered or services rendered.

401—9.8(18) Set aside for contracts with Iowa female and minority small businesses. Rescinded IAB 11/9/94, effective 12/14/94.

401—9.9(18) Vendor appeals. Any vendor whose bid or proposal has been timely filed and who is aggrieved by the award of the department may appeal the decision by filing a written notice of appeal before the Director of the Department of General Services, Hoover State Office Building, Des Moines, Iowa 50319-0104 within five days of the date of award, exclusive of Saturdays, Sundays, and legal state holidays. A written notice may be filed by fax transmission to (515)242-5974. The notice of appeal must actually be received at this office within the time frame specified to be considered timely. The notice of appeal shall state the grounds upon which the vendor challenges the department's award.

401—9.10(18) Procedures for vendor appeal. The aggrieved vendor shall file a contested case and follow the procedure set out below when filing a vendor appeal.

9.10(1) Upon receipt of a notice of vendor appeal, the department shall contact the department of inspections and appeals to arrange for a hearing. The department of inspections and appeals shall send a written notice of the date, time and location of the appeal hearing to the aggrieved vendor or vendors. The presiding officer shall hold a hearing on the vendor appeal within 60 days of the date the notice of appeal was received by the department.

9.10(2) Discovery. Any discovery requests shall be served simultaneously on the parties within 15 days of the notice of appeal.

9.10(3) Witnesses and exhibits. Within 30 days following notice of appeal, the parties shall contact each other regarding witnesses and exhibits. There is no requirement for witness and exhibit lists. However, the parties must meet prior to the hearing regarding the evidence to be presented in order to avoid duplication or the submission of extraneous materials.

9.10(4) If the hearing is conducted by telephone or on the Iowa communications network, all exhibits must be delivered to the office of the presiding officer three days prior to the time the hearing is conducted. Any exhibits which have not been served on the opposing party should be served at least ten days prior to the hearing.

9.10(5) The administrative law judge shall issue a proposed decision in writing that includes findings of fact and conclusions of law stated separately. The decision shall be based on the record of the contested case and shall conform with Iowa Code chapter 17A. The decision shall be sent to all parties by first-class mail.

9.10(6) The record of the contested case shall include all materials specified in Iowa Code subsection 17A.12(6). The record shall also include any request for a contested case hearing and other relevant procedural documents regardless of their form.

a. Method of recording. Oral proceedings in connection with a vendor appeal shall be recorded either by mechanized means or by certified shorthand reporters. Parties requesting that the hearing be recorded by certified shorthand shall bear the costs.

b. Transcription. Oral proceedings in connection with a hearing in a case or any portion of the oral proceedings shall be transcribed at the request of any party with the expense of the transcription charged to the requesting party.

c. Tapes. Copies of tapes of oral proceedings may be obtained from the presiding officer at the requester's expense.

d. Retention time. The recording or stenographic notes of oral proceedings or the transcription shall be filed and maintained by the department for at least two years from the date of the proposed decision.

9.10(7) A ruling dismissing all of a party's claims or a voluntary dismissal is a proposed decision under Iowa Code section 17A.15.

9.10(8) Stay of agency action for vendor appeal.

a. When available.

(1) Any party appealing the issuance of a notice of award may petition for stay of the award pending its review. The petition for stay shall be filed with the notice of appeal, shall state the reasons justifying a stay, and shall be accompanied by an appeal bond equal to 120 percent of the contract value.

(2) Any party adversely affected by a final decision and order may petition the department which issued the decision for a stay of that decision and order pending judicial review. The petition for stay shall be filed with the direction within five days of receipt of the final decision and order, and shall state the reasons justifying a stay.

b. When granted. The director, as appropriate, shall grant a stay when it concludes that substantial legal or factual questions exist as to the propriety of the commission's award, the party will suffer substantial and irreparable injury without the stay, and the interest of the public will not be significantly harmed.

c. Vacation. A stay may be vacated by the issuing authority upon application of the department or any other party.

401—9.11(18) Review of proposed decision.

9.11(1) The proposed decision shall become the final decision of the department 15 days after mailing of the proposed decision, unless prior to that time a party submits an appeal of the proposed decision.

9.11(2) Notice of an appeal for review of a proposed decision shall be mailed to all parties by the director. Within 15 days after mailing of a notice of appeal or of a request for review, any party may submit to the department exceptions to and a brief in support of or opposition to the proposed decision, copies of which exceptions or brief shall be mailed by the submitting party to all other parties to the proceeding. The director shall notify the parties if the department deems oral arguments by the parties to be appropriate. The director will schedule review of the proposed decision not less than 30 days after mailing of the notice of appeal or request for review.

9.11(3) Notices of an appeal shall be mailed or delivered by either party to the Director, Department of General Services, Hoover State Office Building, Des Moines, Iowa 50319-0104. Failure to request review will preclude judicial review unless the department reviews on its own motion. Notice of the review will be sent to all parties participating in the appeal.

9.11(4) Review of a proposed decision shall be based on the record and limited to issues raised in the hearing. The issues shall be specified in the party's request for review. The party seeking review shall be responsible for transcribing any tape of the proceeding before the presiding officer and file the transcript as part of the record for review. The party seeking review shall bear the cost of the transcription regardless of the method used to transcribe the tape.

9.11(5) Each party shall have the opportunity to file exceptions and present briefs. The department may set a deadline for submission of briefs. When the department consents, oral arguments may be presented. A party wishing to make an oral argument shall specifically request it. All parties shall be notified in advance of the scheduled time and place.

9.11(6) The department shall not take any further evidence with respect to issues of fact heard in the hearing except as set forth below. Application may be filed for leave to present evidence in addition to that found in the record of the case. If it is shown to the satisfaction of the department that the additional evidence is material and that there were good reasons for failure to present it in the hearing, the department may order the additional evidence taken upon conditions determined by the department.

9.11(7) A final decision shall be issued by the department. The decision shall be in writing and shall conform with the requirements of Iowa Code chapter 17A.

9.11(8) Requests for rehearing shall be made to the department within 20 days of issuing a final decision. A rehearing may be granted when new legal issues are raised, new evidence is available, an obvious mistake is corrected, or when the decision fails to include adequate findings or conclusions on all issues. A request for rehearing is not necessary to exhaust administrative remedies.

9.11(9) Judicial review of the department's final decisions may be sought in accordance with Iowa Code section 17A.19.

These rules are intended to implement Iowa Code sections 18.4 and 18.7.

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